

THE HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

THOMAS E. PEREZ, Secretary of Labor,
United States Department of Labor, } Case No. 2:15-cv-538-RAJ
Plaintiff, } **ORDER GRANTING REVISED
FIRST FEE APPLICATION**
vs. }
ALFRED H. CHAN, M.D., P.C., a }
corporation; ALFRED H. CHAN, an }
individual; JUDY H. CHAN, an individual; }
ALFRED H. CHAN, M.D., P.C. DEFINED }
BENEFIT PLAN & TRUST, an employee }
pension benefit plan }
Defendant. }

This matter comes before the Court on the “Revised First Fee Application” of Robert Moore, the Independent Fiduciary of the Alfred H. Chan, M.D., P.C. Defined Benefit Plan & Trust. Dkt. # 11. No party has filed a response to the Revised Fee Application.

Under the terms of this Court's previous Order, the Independent Fiduciary's fees were capped at \$17,500. Dkt. # 6 at 3. In order to receive approval for additional fees, the Independent Fiduciary was required to provide the Court with (a) an itemized fee application, and (b) proof that a copy of this application and any supporting documents

1 was sent to the Secretary's representative, San Francisco EBSA Regional Director at 90
2 Seventh Street, Suite 11-300, San Francisco, CA 94103. *Id.* The Secretary would then
3 have 15 calendar days to object to the application. *Id.*

4 The Court previously denied Mr. Moore's Fee Application, without prejudice,
5 citing his failure to include proof that the application was sent to the Secretary's
6 representative, San Francisco EBSA Regional Director at 90 Seventh Street, Suite 11-
7 300, San Francisco, CA 9410. Dkt. # 9. Mr. Moore now moves for approval of his
8 Revised Fee Application. Dkt. # 11. In addition to his itemized list of expenses, Mr.
9 Moore has now filed proof that a copy of the Revised Fee Application was sent to the
10 Secretary at the San Francisco location. Mr. Moore's Certificate of Service indicates
11 that the Fee Application was sent to the United States Department of Labor in Seattle and
12 the EBSA Regional Director in San Francisco. Dkt. # 8 at 6.

13 In the Revised Application, Mr. Moore again requests approval of \$12,342.50 in
14 additional fees and expenses related to the continued administration of the Plan. Dkt. #
15 11 at 4. After reviewing the Revised Fee Application and itemized expenses, the Court
16 finds that the reported fees and expenses are reasonable. Accordingly, the Court
17 **GRANTS** the Revised Fee Application. Dkt. # 11.

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19 Dated this 24th day of October, 2019.

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29 The Honorable Richard A. Jones
30 United States District Judge